IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.10222 of 2008
DR.ANJAN KUMAR
Versus
STATE OF BIHAR
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5. 17.09.2008 Heard the learned Counsel for the petitioner and the learned counsel for the State as also the learned Counsel for the informant.

The prayer for anticipatory bail is under the allegations of 376

of the Penal Code.

The submission is that the informant is the first cousin of the wife of the petitioner. Wife of the petitioner renounced the world. When a family arrangement was made for marriage between the petitioner and the informant. The petitioner was employed at Latur in Maharastra. The informant as part of the arrangement was also taken to Latur. The FIR itself acknowledges that the informant was taken to Amba Jogai barely 45 KM from Latur for education when the petitioner was made the local guardian also.

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It is pointed out that the FIR alleges that she was a student in Amba Jogai in 2004 when the occurrence is alleged to have taken place at Latur on 9/10th December. The FIR has been lodged at Gaya on 18.12.2005.

Submission was of a marriage by consent between the two in which a joint affidavit was sworn. This Court had called for a report from the Notary Public before whom the joint affidavit was affirmed as also copy of the Notary Register.

The report confirms that the petitioner and the informant signed the joint affidavit of their marriage in presence of Notary. The original register has also been made available.

Learned Counsel for the informant sought to persuade this Court that the signatures were forged. That is an aspect to be considered appropriately in trial.

Having considered the facts and circumstances of the case, let the petitioner, above named, surrender in the court below within a period of six weeks from today when he shall be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of CJM Gaya in Kotwali PS Case No. 262 of 2005, subject to the conditions as laid down under Section 438(2) Cr.P.C.

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Snkumar/-

(Navin Sinha,J.)